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SUBJECT: BELIZE: CHILD LABOR INFORMATION FOR TRADE AND DEVELOPMENT
ACT

REF: 08 STATE 127448

¶1. Per reftel, Post submits its updated report on child labor information for Belize for USDOL's use in preparing its congressionally-mandated report on child labor as required by the Trade Development Act of 2000.

Summary

¶2. Child labor does exist in Belize but is not considered prevalent in the formal economic structure of Belize. Ministry of Labor (MOL) officials indicate that the supply of cheap, readily-available migrant labor reduces the demand for child labor in general. The government's limited human and financial resources are a challenge in effectively eliminating the problem entirely. However, the government, NGOs and international organizations are aware of the problem and have taken steps to address the worst forms of child labor. End summary.

Belize Laws and Regulations

¶3. Employment laws, regulations and guidelines are set forth by the Labour Act of Belize. However, many of the regulations contained in the Act are unclear. For example, the minimum age for employment varies among sections within the Labour Act. Section 169, entitled "Restrictions on Employment of Children," sets the minimum employment age at 12 years. Other sections state that "no person shall employ a child in a public or private industrial undertaking" and define a child as anyone under the age of 14 years.

¶4. Section 169 of the Labour Act also states that children may not work:

- before the close of school hours on any day on which s/he is required to attend school;
- before 6AM or after 8PM on any day; and
- for more than 2 hours on any day on which s/he is required to attend school or on Sunday.

In addition, the Act states that a child cannot work in any occupation likely to be injurious to his/her life, health, or education, with ultimate authority residing with the Minister who has the ability to authorize or prohibit all types of work for children of all ages within the framework of the law. The Families and Children Act - which defines a child as any person under the age of 18 - also prohibits children from employment in activities that may be detrimental to the child's health, education, or mental, physical, or moral development. Although there is no law establishing a minimum age for conscription into the military, the minimum age for voluntary enrollment is 18 years.

¶5. While the Constitution prohibits forced or bonded labor, and various sections and chapters of Belize legislation contain laws

against organized prostitution and the procurement of a child for prostitution or pornography, no section of the law specifically describes the worst forms of child labor or hazardous work as defined by ILO. Belize ratified ILO Convention 182 on March 6, 2000 and drafted a definition of the "worst forms of child labor" that mimics that in the ILO Convention 182. The GoB has also drafted a Hazardous Work List to be incorporated into the Occupational, Safety, and Health Act. According to the Labour Department and other stakeholders, both the definition of the "worst forms of child labor" and hazardous work were reviewed and refined during the year but have not yet been adopted legislatively.

¶16. Data from the Belize Statistical Institute (BSI) indicated that as of September 2007, more than one-third of Belize's population comprised children under 14 years of age. 24.4 percent of the labor force was between the ages of 14 and 24 in 2007. The BSI did not include data on workers under the age of 14.

Implementation and Enforcement

¶17. The Labour Department has the authority to implement and enforce child labor laws in Belize, but has limited resources to investigate complaints. The Department of Labour reported no investigations during the year. The Police Department is responsible for investigating the criminal aspect of the violation. Penalties for non-compliance with child labor laws range from USD 10 or two months of imprisonment for the first offense, to USD 25 or four months of imprisonment for subsequent offenses. The penalties are inadequate punishment to deter child employers. Ministry of Education inspectors investigate truancy and some child labor complaints.

Social Programs

¶18. As noted above, the Labour Department and other GoB agencies lack sufficient resources to provide extensive social programs to prevent and withdraw children from the worst forms of child labor. Often, non-governmental organizations must fill in the gaps. The National Committee for Families and Children (NCFC) is a quasi-governmental organization formed in 1994 as the major advisory body to the government of Belize on family and children's issues. Representatives from the Ministries of Human Development, Health, Education and several NGOs and international organizations are members of the Committee.

¶19. The commercial sexual exploitation of children and adolescents (CSEC) is a problem in Belize according to NGOs and governmental organizations. It is often identified as the "sugar daddy" syndrome in which young girls and boys develop a relationship with an older person in order to pay for school fees, or to provide food, housing, or other benefits for their family members. Youth Enhancement Services (YES) is one NGO in Belize that has been engaged in a sustained advocacy campaign that has addressed CSEC since 2004. The YES campaign empowers young girls and boys to protect themselves and be aware of their rights, raises public awareness about CSEC, and advocates for effective legislation to protect children from sexual abuse.

¶10. Education in Belize is compulsory for children between the ages of 5 and 14 years. The Education Act subjects parents to a fine of up to USD 50 if their children of compulsory school age fail to attend school regularly. Primary education is free, but related expenses, such as uniforms and books, are a financial strain on poor families. And though the Ministry of Education estimates that 21% of the government's recurrent expenditures for the 2007/2008 year was spent on education, most of the funding pays for teachers' salaries.

¶11. According to the Ministry of Education in 2007/2008 the gross primary enrollment rate was 97.0 percent while the net primary enrollment rate was 84.6 percent. For the same time period, the gross secondary enrollment rate was 53.5 percent and the net secondary enrollment rate was 40.0 percent. The completion rate is 48.3% for primary school and 59.8% for secondary school.

Comprehensive Policy

¶12. In 2004, the Government of Belize drafted a National Plan of Action (NPA) for Children and Adolescents, the purpose of which is to promote the development of children and adolescents through 2015. The NPA outlines objectives, strategies and specific actions in the areas of health, education, child protection, family, HIV/AIDS, and culture. Portions of the NPA are relevant to eliminating the worst forms of child labor in Belize: the plan aims to address issues such as the affordability and accessibility of education and the elimination of child abuse, abandonment and labor. It does not, however, provide a definition of the worst forms of child labor.

Continual Progress

¶13. The GoB continued to support the NCFC in 2008 by providing a subvention and program funds (USD 200,000 equivalent). NCFC continues to implement a project, "Withdrawal and Rehabilitation of Child Labourers in Two Mayan Communities in the Toledo District", in the San Antonio Village and Big Falls/Dump Area. The project aimed to reintegrate 75 children in the agricultural sector into school, prevent 200 children from being drawn into child labor, train parents in entrepreneurial skills to enable them to earn extra income, train municipal government personnel and NGOs, and monitor the area through local stakeholder organizations. Thirteen children still remain in the program and the NCFC is currently looking for funding for the monitoring and evaluation phase of this project. The NCFC along with ILO also conducted media sensitization training for CSEC in 2008. During the training, they helped to prepare guidelines for the media for questioning victims. The program garnered support from the media for combating CSEC.

¶14. In 2008, YES launched another program to reintegrate and prevent victims of child labor, specifically CSEC. YES identified approximately 100 at-risk youths for CSEC and provided skills training to the youths and their parents in order to provide alternative sources of income for the families. YES also provided workshops for high school teachers around the country to educate them about CSEC and to urge them to become part of the solution to the problem. YES received USD 30,000 (equivalent) in 2008 from the GOB and additional project funds from ILO/IPEC.

¶15. In August 2008, UNICEF along with ILO provided a training session for Labor Officers to examine the negative impact of child labor and to review child labor indicators.

¶16. In 2007, the previous government announced a free school textbook program that continued under the new administration in 2008. The new Prime Minister pledged during the 2008 elections to provide an annual subsidy of USD 150 (equivalent) to first and second form (middle school) students to help compensate for additional fees charged by schools. In May 2008, the Minister of Education announced the beginning of the implementation of this effort.

Comment

¶17. Reports from NGOs and government organizations indicated that child labor is not prevalent and not organized in Belize. Children in rural areas did work on family plots and businesses after school, on weekends, and during vacations, and were involved in the citrus and banana industries at times assisting their parents. There were ambiguities in the legal definition of child labor in relation to light work, hazardous work, and artistic performance, which the Ministry of Labor in consultation with UNICEF and other stakeholders worked to clarify during the year.

¶18. The YES training programs continue to receive media attention and reach hundreds of youths at-risk for CSEC. The commitment of a few individuals in Belize to combat CSEC and other worst forms of child labor are indications that the government of Belize, as well as civil society and international organizations, are addressing the

worst forms of child labor in Belize. However, the country still remains resource-challenged. Public awareness has increased through GOB and NGO efforts in the major cities and in the rural, agricultural areas of Belize. Enforcement and prosecution in general and in relation to the worst forms of child labor remain additional hurdles to eliminating the activity. End comment.

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